

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Combelles, et al Docket No.: 09320.0092USWO
Serial No.: 09/446958 Filed: 12/29/99
Int'l Appln No.: PCT/FR98/01398 Int'l Filing Date: 06/30/98
Title: MULTICARRIER MODULATION USING WEIGHTED PROTOTYPE FUNCTIONS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231 on August 13, 2002.

By: 
Name: Terry Lee Polk

Box PCT
Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Return postcard
- Transmittal Sheet in duplicate containing Certificate of Mailing
- Check(s) in the amount of \$130.00 for Petition Fee
- Other: Petition Under 37 CFR 1.47(a)
- Documentation and Letter sent September 28, 2000

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402-2215
USA
(612) 332-5300

By: 
Name: John J. Gresens
Reg. No.: 33,112
JJG:JAL/tlp



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OFFICE OF PETITIONS

S/N 09/446958

PATENT

#13

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FUNCTIONS

CERTIFICATE UNDER 37 CFR 1.8:

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By: 
Name: TerryLee Palk

PETITION UNDER 37 C.F.R. § 1.47(a)

Box PCT
Attn: PCT Legal Administrator
Commissioner for Patents
Washington, D.C. 20231

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OFFICE OF PETITIONS

Dear Sir:

Applicants respectfully request that the August 28, 2000 Notification of Acceptance be reaffirmed to reflect the acceptance of the application absent the signature of one of the inventors. This matter entered the National Stage on December 29, 1999. A Notification of Missing Requirements was subsequently mailed on March 8, 2000. The filing particulars included an unsigned Combined Declaration and Power of Attorney. A Combined Declaration and Power of Attorney signed by two of the three named inventors was filed August 3, 2000. Applicants subsequently received a Notification of Acceptance mailed August 28, 2000.

With the exception of Mr. Ali JALALI, all the inventors signed the Combined Declaration and Power of Attorney. Applicants submit that due diligence has been exhibited in attempting to obtain Mr. JALALI's signature. In support of this assertion, Applicants enclose a copy of a letter sent to Mr. JALALI dated September 28, 2000 requesting his signature, along with a translation of the letter. The letter was written by Christian Hamon, who is affiliated with

the assignee, France Telecom. Copies of documentation that accompanied the letter are also enclosed.

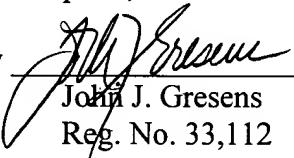
Mr. JALALI's last known address is: Chez M. HAMID ESMALI; 7, JALAL ALLEY; ASEF STREET; ZAFARANEIH, VALIASRAV; TEHERAN (19877). As indicated in the attached letter, an attempt was made to contact Mr. JALALI at his last known address in Teheran to obtain his signature on the Combined Declaration and Power of Attorney. However, the Applicants, the assignees, and their representatives have not received a response from Mr. JALALI. For these reasons, Applicants request that the Notification of Acceptance reflect that the application is accepted without the signature of Mr. JALALI.

Please find enclosed the petition fee of \$130.00. Please charge any other fee that may be necessary in consideration of this petition to Merchant & Gould deposit account no 13-2725. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary attorney-of-record, John J. Gresens (Reg. No. 33,112), at 612.371.5265.

Respectfully Submitted,
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

Dated: Aug 13, 2002

By


John J. Gresens
Reg. No. 33,112

RECEIVED

FEB 03 2004

OFFICE OF PETITIONS



Dear Sir,

Please find herewith enclosed for signature a power of attorney concerning the US patent application for which you are one of the inventors. This signature is indispensable to us, our first letter having been without answer.

We than you to send us this document within 3 weeks.

In the meantime, we remain,

Very truly yours

C. HAMON

Votre correspondant : C. Hamon
Téléphone : 02 99 12 48 05
Référence : FTRD/DSTV/VPI/REN//00/CH

4 OCT. 2000

Monsieur ALI JALALI

chez M. HAMID ESMAILI
7, JALAL ALLEY
ASEF STREET
ZAFARANIEH, VALIASRAV
TEHERAN (19877)

Cesson-Sévigné, le 28 septembre 2000

OBJET : Demande de brevet aux USA n° 09/446, 958 du 29.12.99 issue de la demande PCT FR98/011398 du 30.06.98 concernant un « Procédé et dispositif de modulation d'un signal multiporteuse de type OFDM/OQAM, et procédé et dispositif de démodulation correspondant », ref CCETT9494 ; Pouvoirs aux USA

4246 US/LB

Monsieur,

Je vous adresse ci-joint pour signature un pouvoir relatif à la demande de brevet US du brevet dont vous êtes un des inventeurs. Cette signature nous est indispensable, notre premier envoi étant resté sans réponse.

Merci de nous renvoyer ce document signé sous trois semaines.

Dans cette attente, nous vous prions d'agréer, Monsieur, l'expression de nos sentiments distingués.

Le Responsable Protection France Télécom R&D Rennes



Christian HAMON

RECEIVED

FEB 03 2004

OFFICE OF PETITIONS

France Télécom R&D
Site de Rennes
4, rue du Clos-Courtel - BP 59 - 35512 Cesson-Sévigné Cedex
Téléphone : 02 99 12 41 11 - Télécopie : 02 99 12 40 98
International : + 33 2 12 41 44 - Fax : +33 2 12 40 98

SA au capital de 4 098 458 244 EUR - RCS PARIS B 380 129 866

INSTRUCTIONS

ASSIGNMENT OF U.S. RIGHTS TO CORPORATION

WHEREAS,

Inventor(s) Name,
Address, Citizenship

1. Pierre M. Combelles residing at 32, rue Bigot de Preameneu, 35000 Rennes, France and a citizen of France;
2. Dominique M. LaCroix residing at 18, square Alain Fergent, 35000 Rennes, France and a citizen of France;
3. Ali M. Jalali residing at 32K, rue Mirabeau, 35700 Rennes, France and a citizen of France;

Date Patent Declaration
Signed and Title Serial
No. and filing date (if
known)

(herein called "THE UNDERSIGNED") have made an invention and have executed an application for Letters Patent of the United States on _____ for this invention, which application is entitled MULTICARRIER MODULATION USING WEIGHTED PROTOTYPE FUNCTIONS and which has been given Serial Number _____ and the filing date of December 29, 1999;

Name of Corporation

AND WHEREAS France Telecom (herein called "ASSIGNEE"), a corporation organized under the laws of France, and having an office and place of business at 6, place d'Alleray, 75015 Paris, France

State or Country of
Incorporation and Address

AND WHEREAS Telediffusion de France (herein called "ASSIGNEE"), a corporation organized under the laws of France, and having an office and place of business at 10, rue d'Ouradour-sur-Glane, 75732 Paris Cedex 15, France

wishes to acquire the entire right, title and interest in and to said invention and patent application and any Letters Patent to be obtained therefor;

NOW, THEREFORE, for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, THE UNDERSIGNED hereby sell, assign and transfer to the ASSIGNEE, its successors and assigns, the entire right, title and interest for the United States in and to the invention disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and THE UNDERSIGNED hereby authorize and request the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid invention to the ASSIGNEE of the entire right, title and interest in and to the same, for the use of the ASSIGNEE, its successors and assigns.

THE UNDERSIGNED hereby agree that THE UNDERSIGNED, their executors and legal representatives will make, execute and deliver (without charge but at the expense of the ASSIGNEE) any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said ASSIGNEE, its successors and representatives all facts known to THE UNDERSIGNED relating to said invention and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to vest the ASSIGNEE, its successors or assigns the entire right, title and interest in and to the said invention, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

THE UNDERSIGNED represent and agree with said ASSIGNEE its successors and assigns, that no assignment grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by THE UNDERSIGNED, and that full right to convey the same as herein expressed is possessed by THE UNDERSIGNED.

IN TESTIMONY WHEREOF, THE UNDERSIGNED have hereunto set their
hands and seals on the dates indicated below.

Each inventor must sign & date

Note: No legalization or other
witness required

Signature 

Date 25. jan. 2000

Signature 

Date 3. Jan. 2000

Signature

Date

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is concerned with a public interest. The public interest is served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by § 1.97(b)–(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

MERCHANT & GOULD P.C.
United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MULTICARRIER MODULATION USING WEIGHTED PROTOTYPE FUNCTIONS**

the specification of which

is attached hereto
 was filed on December 29, 1999 as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/FR98/01398 filed June 30, 1998 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by my amendment referred to above.

acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

no such applications have been filed.
 such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
France	FR 97 08547	July 1, 1997	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.	Reg. No. 10,481	Lacy, Paul E.	Reg. No. 38,946
Anderson, Gregg I.	Reg. No. 28,828	Larson, James A.	Reg. No. 40,443
Ansems, Grégory M.	Reg. No. 42,264	Liepa, Mara E.	Reg. No. 40,066
Batzli, Brian H.	Reg. No. 32,960	Lindquist, Timothy A.	Reg. No. 40,701
Beard, John L.	Reg. No. 27,612	McDonald, Daniel W.	Reg. No. 32,044
Berns, John M.	Reg. No. 43,496	McIntyre, Jr., William F.	Reg. No. P-44,921
Black, Bruce E.	Reg. No. 41,622	Mueller, Douglas P.	Reg. No. 30,300
Bruess, Steven C.	Reg. No. 34,130	Pauly, Daniel M.	Reg. No. 40,123
Byrne, Linda M.	Reg. No. 32,404	Phillips, John B.	Reg. No. 37,206
Carlson, Alan G.	Reg. No. 25,959	Plunkett, Theodore	Reg. No. 37,209
Caspers, Philip P.	Reg. No. 33,227	Pytel, Melissa J.	Reg. No. 41,512
Chiapetta, James R.	Reg. No. 39,634	Reich, John C.	Reg. No. 37,703
Clifford, John A.	Reg. No. 30,247	Reiland, Earl D.	Reg. No. 25,767
Cochran, William W.	Reg. No. 26,652	Schmaltz, David G.	Reg. No. 39,828
Daignault, Ronald A.	Reg. No. 25,968	Schuman, Mark D.	Reg. No. 31,197
Daley, Dennis R.	Reg. No. 34,994	Schumann, Michael D.	Reg. No. 30,422
Dalglish, Leslie E.	Reg. No. 40,579	Scull, Timothy B.	Reg. No. 42,137
Daulton, Julie R.	Reg. No. 36,414	Sebald, Gregory A.	Reg. No. 33,280
DeVries Smith, Katherine M.	Reg. No. 42,157	Skoog, Mark T.	Reg. No. 40,178
DiPietro, Mark J.	Reg. No. 28,707	Soderberg, Richard	Reg. No. P-43,352
Edell, Robert T.	Reg. No. 20,187	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Fapp Ryan, Sandra	Reg. No. 39,667	Storer, Shelley D.	Reg. No. 45,135
Gilance, Robert J.	Reg. No. 40,620	Sumner, John P.	Reg. No. 29,114
Hoggan, Matthew J.	Reg. No. 44,125	Summers, John S.	Reg. No. 24,216
Holla, Charles E.	Reg. No. 26,896	Swenson, Erik G.	Reg. No. 45,147
Horman, Alan G.	Reg. No. 38,472	Tellekson, David K.	Reg. No. 32,314
Hould, John D.	Reg. No. 18,223	Trembath, Jon R.	Reg. No. 38,344
Hregson, Richard	Reg. No. 41,804	Underhill, Albert L.	Reg. No. 27,403
Hresens, John J.	Reg. No. 33,112	Vandenburgh, J. Derek	Reg. No. 32,179
Hambre, Curtis B.	Reg. No. 29,165	Wahl, John R.	Reg. No. 33,044
Hillson, Randall A.	Reg. No. 31,838	Weaver, Karrie G.	Reg. No. 43,245
Holzer, Jr., Richard J.	Reg. No. 42,668	Welter, Paul A.	Reg. No. 20,890
Johnston, Scott W.	Reg. No. 39,721	Whipps, Brian	Reg. No. 43,261
Hadievitch, Natalie D.	Reg. No. 34,196	Wickhem, J. Scot	Reg. No. 41,376
Hastelic, Joseph M.	Reg. No. 37,160	Williams, Douglas J.	Reg. No. 27,054
Hettelberger, Denise	Reg. No. 33,924	Witt, Jonelle	Reg. No. 41,980
Hays, Jeramie J.	Reg. No. 42,724	Xu, Min S.	Reg. No. 39,536
Hearn, Homer L.	Reg. No. 21,197	Zeuli, Anthony R.	Reg. No. 45,255
Howalchyk, Alan W.	Reg. No. 31,535		
Howalchyk, Katherine M.	Reg. No. 36,848		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization to which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C.
3100 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4131

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name Of Inventor	Family Name Combelles	First Given Name Pierre	Second Given Name M.
Residence & Citizenship	City Rennes	State or Foreign Country France	Country of Citizenship France
Post Office Address	Post Office Address 32, rue Bigot de Preameneu	City Rennes	State & Zip Code/Country 35000 / France
Signature of Inventor 201:		Date: 25. juin. 2000	

Full Name Of Inventor	Family Name LaCroix	First Given Name Dominique	Second Given Name M.
Residence & Citizenship	City Rennes	State or Foreign Country France	Country of Citizenship France
Post Office Address	Post Office Address 18, square Alain Fergent	City Rennes	State & Zip Code/Country 35000 / France
Signature of Inventor 202:		Date: 31 juin 2000	

Full Name Of Inventor	Family Name Jalali	First Given Name Ali	Second Given Name M.
Residence & Citizenship	City Rennes	State or Foreign Country France	Country of Citizenship France
Post Office Address	Post Office Address 32K, rue Mirabeau	City Rennes	State & Zip Code/Country 35700 / France
Signature of Inventor 203:		Date:	

...

...

...

... ...

A remplir par l'expéditeur

Destinataire : Ali Jaleh 7 Jaleh Alley

ASEF STREET

ZAFARNEEM, VALIASRIV

19877

Localité TEHRAN

Pays IRAN

Réserve au service

date N°	Prix	vd	Nature	signature de l'agent
		Poids	crbt	

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Bureau de dépôt

Date de dépôt

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Ali Jaleh 7 Jaleh Alley
A remplir par l'expéditeur

IRAN

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montant :

Renoyer à : C. HANOV.

Nom ou raison sociale C. HANOV.

Rue et n° FRANCK D.

Code postal et localité 5 Rue du Clos Contal

Code postal et localité 35572 Cesson Sévigné

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mandat n° : montant :

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Date et signature :

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le présent avis par une autre personne autorisée ou par l'agent du bureau de destination.

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AVIS A COLLER PAR LE GUICHETIER



Rondieu ALI JALALI

cher M. HAMID ESMARI

4 TALAL ALLEY

ASEF STREET

ZAFARANIEH, VALIASRAV

TEHERAN (1987) I.RAN

تهران - خیابان زعفران - بینان - (خیابان زعفران)
تهران - خیابان زعفران - بینان - (خیابان زعفران)
مع اوصیه کریمی علی پیراک (با شرکت دیجی موبایل ایرانی) کسب

(دیجی موبایل ایرانی)